



U.S. Department  
of Transportation  
**Research and  
Special Programs  
Administration**

400 Seventh St., S.W.  
Washington, D.C. 20590

**MAR 22 2001**

DOT-E 11044  
(SEVENTH REVISION)

EXPIRATION DATE: July 31, 2002

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Southeastern Fumigants, Inc.  
Dawson, Georgia

(See Appendix A to this document for a list of additional grantees)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of up to 11.35 kg (25 pounds) of an organic phosphate compound (2.2 dichlorovinyl dimethylphosphate) in a DOT Specification 4BA240, 4BW240, 3A and 3AA cylinder equipped with an education (dip) tube. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.

4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.334(a) in that charging the cylinder with more than 5 kgs (11 pounds) of the mixture is not authorized, except as specified herein; and § 173.334(c) in that a cylinder equipped with an education tube is not authorized, except as specified herein.

5. BASIS: This exemption is based on the application of Chem-Tech Ltd. dated September 11, 2000 and additional information dated February 9, 2001, submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identification number	Packing Group
Organic phosphate compound, mixed with compressed gas	2.3	NA1955	N/A Hazard Zone C

7. PACKAGING AND SAFETY CONTROL MEASURES:
- a. PACKAGING - Packaging prescribed is a DOT Specification 4BA240, 4BW240, 3A or 3AA cylinder. Each cylinder must be in conformance with § 173.334 except as follows:
- (1) Each cylinder may be charged with no more than 11.35 kg (25.5 pounds) of 2.2 dichlorovinyl dimethylphosphate to a maximum filling density of not more than 80 percent of the water capacity.
  - (2) Each prescribed cylinder may be equipped with an eduction (dip) tube.
- b. TESTING - Each cylinder must be inspected and retested as specified in § 173.34(e).
- c. OPERATIONAL CONTROL -
- (1) Cylinders must comply with all requirements of §§ 173.334(e) and (f), as applicable.
  - (2) The cylinder must be charged in accordance with § 173.334 and the total pressure in the cylinder at 130°F may not exceed 1.05 times the marked service pressure of the cylinder. The maximum vapor pressure at 130°F may not exceed 1100 psia.

(3) Before each filling of a cylinder, the person filling the cylinder must visually inspect the outside of the cylinder. A cylinder that has a crack or leak, is bulged, has a defective valve, or bears evidence of physical abuse, fire or heat damage, or detrimental rusting or corrosion may not be used unless it is properly repaired and requalified as prescribed in § 173.34.

(4) Transportation is limited to private or contract motor vehicles.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this exemption who receives a package covered by this exemption may reoffer it for transportation provided no modifications or changes are made to the package and it is reoffered for transportation in conformance with this exemption and the HMR.

b. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.

c. Each cylinder must be plainly and durably marked "DOT-E 11044" on a contrasting background as specified in § 172.301(c).

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8 who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by § 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Section 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder of this exemption must inform the AAHMS, in writing, of any incidents involving the package and shipments made under the terms of this exemption.

Issued at Washington, D.C.:



Robert A. McGuire  
Associate Administrator  
for Hazardous Materials Safety

MAR 22 2001  
(DATE)

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.  
Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

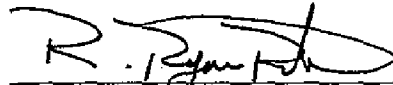
Copies of exemptions may be obtained from the AAHMS, U.S. Department of Transportation, 400 7th Street SW, Washington, DC 20590-0001, Attention: Records Center, 202-366-5046.

PO: Mark Toughiry

APR 11 2001

The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	Application Date	Issue Date	Expiration Date
Chem-Tech, Ltd. Des Moines, IA	8/7/2000	8/25/2000	7/31/2002
HUB States, LLC Carmel, IN	3/1/2001	APR 11 2001	7/31/2002

  
For Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety